

FEB 13 2008

CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS

NOT FOR PUBLICATION
UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

ROSA YANETH BARRIOS OROZCO,

Petitioner,

v.

**MICHAEL B. MUKASEY, Attorney
General,**

Respondent.

No. 05-70051

Agency No. A76-356-292

MEMORANDUM*

On Petition for Review of an Order of the
Board of Immigration Appeals

Submitted February 8, 2008**
Pasadena, California

Before: **KOZINSKI**, Chief Judge, **O'SCANNLAIN** and **W. FLETCHER**,
Circuit Judges.

The record doesn't compel a finding of past persecution or a well-founded
fear of future persecution. See 8 C.F.R. § 1208.13(b). One rock-throwing incident

* This disposition is not appropriate for publication and is not precedent
except as provided by 9th Cir. R. 36-3.

** The panel unanimously finds this case suitable for decision without oral
argument. See Fed. R. App. P. 34(a)(2).

that didn't harm petitioner and phone calls containing vague threats do not amount to persecution, which is "an extreme concept, marked by the infliction of suffering or harm . . . in a way regarded as offensive." Li v. Ashcroft, 356 F.3d 1153, 1158 (9th Cir. 2004) (en banc). The IJ therefore properly denied petitioner asylum.

Consequently, petitioner is also necessarily ineligible for withholding of removal.

See Farah v. Ashcroft, 348 F.3d 1153, 1156 (9th Cir. 2003). Petitioner's claim for relief under the Convention Against Torture also fails because a reasonable adjudicator wouldn't be compelled to find it more likely than not that petitioner would be tortured if removed. See 8 C.F.R. § 1208.16(c)(2).

PETITION DENIED.